IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 4997 of 2005

Between:

The Joint Action Committee of Recognised Schools association, rep., by it's Convenor S.Srinivas Reddy, S/o late Chandrareddy, R/o Hyderabad.

..... PETITIONER

AND

1 The Regional Joint Director of School Education,

Kachiguda, Hyderabad.

2 The Government of A.P., rep., by its Principal Secretary

(School Education), A.P.Secretariat, Hyderabad.

3 The Management of Bhashyam Public School,

rep., by its Director, Kukatpally, Hyderabad.

4 The Management of Brilliant Gram High School,

rep., by its Director Near Dilsuknagar Bus Stop,
Hyderabad-36.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of a Writ of Mandamus, declaring the action of the respondent authorities in not responding to the representation 28-1-2005, 12-2-2005 24-2-2005, 2-3-2005 and 9-3-2005 submitted by the petitioners Association as illegal, arbitrary, and failure in discharging the constitutional obligations and consequently direct the respondents 1 & 2 to take all those necessary steps by exercising its powers conferred under the provisions of A.P. Education Act and the rules issued there under duly initiating

action against the erring managements of 3rd and 4th respondent in the interests of justice and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : Mr.K.RAM REDDY

Counsel for the Respondents : GP FOR SCHOOL EDUCATION

The Court at the stage of admission made the following :

ORDER:

This writ petition is filed by the petitioner, which is a Joint Action Committee of Recognized Schools' Association, represented by it's convener, aggrieved by the inaction of the respondents on the representations made by the petitioner on 28-01-2005, 12-02-2005, 24-02-2005, 02-03-2005 and 09-03-2005 and the said inaction of the official respondents is illegal, arbitrary and unconstitutional, and therefore, sought for a consequential directions to R1 and R2 to take necessary steps exercising the powers conferred on them under the A.P. Education Act and the Rules made there under for initiating appropriate action against the respondents 3 and 4 for violating the Government orders.

According to the petitioner, the Board of Secondary Education used to declare the ranks of the first 10 students, which system was in existence since 1976. But however, in 1998, the Government thought it fit to dispense with the system of announcement of top 10 ranks obtained by the candidates in 10^{th} class examination and the said system was dispensed with in the public interest. Though the system of announcement of top 10 ranks was dispensed with, the private educational institutions such as respondents 3 and 4 were adopting illegal methods and publishing in newspapers as if their students have obtained first ranks even in the absence of any declaration by the S.S.C.Board. Therefore, the petitioner made representations for taking appropriate action against respondents 3 and 4. But the official respondents did not take any action on the representations of the petitioner. Hence the present writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader.

As the respondents did not consider and dispose of the representations of the petitioners, and in view of the complaints made by the petitioner against the respondents 3 and 4, it is appropriate to direct the respondents 1 and 2 to take

appropriate view on the representations of the petitioner, especially, in the light of G.O.Ms.No.145, dated 26-05-1998 under which the ranking system was dispensed.

Accordingly, the writ petition is disposed of directing the respondents 1 and 2 to dispose of the representations of the petitioner expeditiously, preferably, within a period of four weeks from the date of receipt of a copy of this order and take appropriate action in accordance with law. No order as to costs.

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S. ANANDA REDDY, J.

Dated: 27..06..2005.

rns

Copy to :

1 The Regional Joint Director of School Education,

Kachiguda, Hyderabad.

2 The Principal Secretary (School Education),

The Government of A.P., A.P. Secretariat, Hyderabad.

3 The Director, Management of Bhashyam Public School,

Kukatpally, Hyderabad.

4 The Director, Management of Brilliant Gram High School,

Near Dilsuknagar Bus Stop, Hyderabad-36.

5 Two C.C.s to the Government pleader for School Education,

High Court Buildings, High Court of A.P., Hyderabad. (O.U.T.)

6 Two C.D. Copies.